

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

In Re:)
)
Bowman & Drussa, Inc.) Case No.07-61509-ABF
Debtor(s).)

**TRUSTEE'S MOTION TO DEPOSIT FUNDS INTO THE REGISTRY
WITH CERTIFICATE OF SERVICE**

COMES NOW Fred Charles Moon, Chapter 7 Trustee, and moves the Court to order the deposit of the following uncashed distributed dividend funds into the Registry:

- (a) One uncashed 01/20/11 Final Report distribution check #10135 in the amount of \$37.97 to Creditor Tool Hospital, 9950 South 134th Street, Omaha, Nebraska 68138-6199 (Claim #5), that remained outstanding for over ninety (90) days and on which the Trustee issued a "Stop Payment" on April 21st, 2011.
- (b) One uncashed 01/20/11 Final Report distribution check #10139 in the amount of \$108.58 to Creditor O'Reilly Automotive, Inc., P. O. Box 1156, Springfield, Missouri 65801-1156 (Claim #9), that remained outstanding for over ninety (90) days and on which the Trustee issued a "Stop Payment" on April 21st, 2011.

The Trustee contends that creditors Tool Hospital and O'Reilly Automotive, Inc. should still have the right to claim said funds and, in order to bring closure for this bankruptcy case, Trustee believes it would be in the best interest of all parties to deposit said funds into the Court's Registry.

The Trustee has determined that if the uncashed funds of \$146.55 were distributed out to the other fifteen remaining unsecured creditors that did not receive 100% of their allowed filed claims that have a combined total remaining unpaid balance of \$243,603.79, said distribution would be of inconsequential value to said creditors.

WHEREFORE the Trustee prays:

- (1) That the Court enter an Order authorizing him to pay to the Clerk of the United States Bankruptcy Court the sum of \$146.55 in uncashed distributed dividends to be deposited into the Registry Fund; and

- (2) That the Court enter an Order sustaining the request for affirmative relief contained herein and confirming the relief requested herein and that any such Order incorporate the Motion and relief requested therein by reference, including its file document docket number with the Office of the United States Bankruptcy Clerk, Western District of Missouri; and
- (3) That the Court grant such other and further relief as it deems just and proper under the circumstances.

Dated this 22nd day of April, 2011.

MOON & MOON
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/s/Fred Charles Moon
FRED CHARLES MOON
CHAPTER 7 TRUSTEE

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the forgoing instrument was served upon:

1. Ms. Nancy J. Gargula, United States Trustee, United States Courthouse, 400 East Ninth Street, Room 3440, Kansas City, Missouri 64106;
USTPregion13.KC.ECF@usdoj.gov
2. Mr. Jerry L. Phillips, Trial Attorney for the United States Trustee's Office, United States Courthouse, 400 East Ninth Street, Room 3440, Kansas City, Missouri 64106;
Jerry.L.Phillips@usdoj.gov
3. Mr. Thomas J. O'Neal, Attorney for Debtor, 901 East Saint Louis Street, Suite 1200, Springfield, Missouri 65806;
toneal@polsinelli.com
4. Mr. Leland L. Gannaway, Attorney for Vesta L. Drussa, 3271 East Battlefield, Suite 200, Springfield, Missouri 65804-0417;
llgatty@bjklaw.com

5. Mr. Brent D. Green, Special Counsel for Chapter 7 Trustee, Evans & Green, P. O. Box 10545, Springfield, Missouri 65808-0545;
bdg@evansgreenlaw.com
6. Mr. M. Brent Hendrix, Attorney for Creditor Azizi International, Inc., 1909 East Bennett Street, Springfield, Missouri 65804;
brenthendrix@sbcglobal.net
7. Mr. John P. Hurley, Attorney for the John R. Harney International Training Fund and the John R. Harney Plumbers and Pipefitters National Pension Fund, 204 West Linwood Blvd, Kansas City, Missouri 64111;
jolleyw@swbell.net
8. Mr. Patrick J. Platter, Attorney for Neal & Newman, L.L.P., 1949 East Sunshine Street, Suite 1-130, Springfield, Missouri 65808;
pplatter@nnlaw.com
9. Mr. Judson B. Poppen, Attorney for Creditor Hubbell Mechanical Supply Company, 1949 East Sunshine, Suite 1-130, Springfield, Missouri 65804;
jpoppen@nnlaw.com
10. Ms. Ninion S. Riley, Attorney for Creditor Missouri Department of Labor & Industrial Relations, P. O. Box 59, Jefferson City, Missouri 65104-0059;
Legal3@dolir.mo.gov
11. Mr. Jason C. Smith, Attorney for Creditor Wehr Construction, LLC, Husch Blackwell Sanders, 1949 East Sunshine Street, Suite 2-300, Springfield, Missouri 65804;
jason.smith@huschblackwell.com
12. Mr. Lee J. Viorel, III, Attorney for Juanita B. Harmon, 901 East Saint Louis Street, 20th Floor, Springfield, Missouri 65806;
lviorel@lowtherjohnson.com
13. Tool Hospital, Creditor (Claim #5), 9950 South 134th Street, Omaha, Nebraska 68138-6199;
14. O'Reilly Automotive, Inc., Creditor (Claim #9), P. O. Box 1156, Springfield, Missouri 65801-1156; and
15. All other parties requesting notice.

by electronic filing or by depositing a copy of same in the U.S. Mail, postage prepaid on this 22nd day of April, 2011.

/s/Fred Charles Moon
FRED CHARLES MOON
CHAPTER 7 TRUSTEE